

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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| 10 JASEN LYNN DUSHANE, | Plaintiff, | Case No. 3:15-cv-00498-MMD-WGC |
| 11 v. | | ORDER |
| 12 NEVADA DEPARTMENT OF | | |
| 13 CORRECTIONS et al., | | |
| 14 Defendants. | | |

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16 **I. DISCUSSION**

17 Plaintiff, a *pro se* prisoner, previously filed an application to proceed *in forma*
18 *pauperis* and a first amended complaint pursuant to 42 U.S.C. § 1983. (Dkt. no. 1, 5.)
19 Plaintiff now files a notice for voluntary dismissal. (Dkt. no. 6.) Pursuant to Federal Rule
20 of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by
21 filing “a notice of dismissal before the opposing party serves either an answer or a
22 motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court acknowledges
23 Plaintiff’s notice for voluntary dismissal and dismisses the action without prejudice.

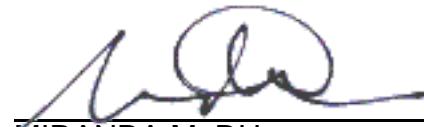
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25 **II. CONCLUSION**

26 For the foregoing reasons, it is ordered that this action is dismissed in its entirety,
27 without prejudice, in light of the notice of voluntary dismissal (dkt. no. 6).

28 It is further ordered that the application to proceed *in forma pauperis* (dkt. no. 1)
is denied as moot.

1 It is further ordered that the Clerk of the Court shall enter judgment accordingly.
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3 DATED THIS 23rd day of March 2016.

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MIRANDA M. DU
UNITED STATES DISTRICT JUDGE